

Serial No. 10/605,059
Art Unit 1714

REMARKS

This amendment is responsive to the office action dated March 8, 2004.

Claims 1-11 were pending in the application. Claims 1-11 were rejected. No claims were allowed by the Examiner.

By way of this amendment, the Applicant has amended Claims 1 and 9-

11. Claims 2-8 remain unchanged.

Accordingly, Claims 1-11 are currently pending.

I. Rejections Under 35 U.S.C. §112

The Office Action states that claims 1-11 are rejected under 35 U.S.C. §112, second paragraph as being indefinite, because of the recited term, "PAN-based carbon." The Office Action further alleges that the abbreviated term, "PAN" is indefinite and the full chemical name should be used. The Office Action also notes that the terms, "said second third filler" and "said third filler" in dependent claims 9-11 lack antecedent basis.

Applicant has amended claim1 to substitute the full chemical name, "polyacrylonitrile" in place of "PAN" as requested by the Examiner. Further, regarding Claims 9-11, Applicant has amended claim 9 to clarify that the third filler is spheroid in shape as discussed at Paragraph 52 in the specification. Additionally, Claims 9-11 have been amended to depend from Claim 2, thus the term "third filler" in claims 9, 10 and 11 now has antecedent basis.

In view of the foregoing, it is respectfully requested that each rejection of claims 1-11 (as amended) under 35 U.S.C. §112 be withdrawn.

II. Conclusion

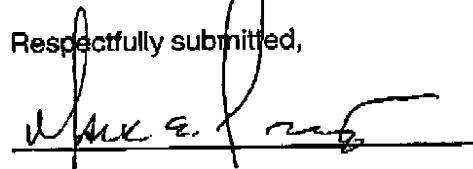
In summary, Applicant submits that claims 1-11 (as amended) are patentable and each of the Examiner's rejections and objections has been overcome. Accordingly, Applicants respectfully request favorable consideration and allowance of amended claims 1-11.

The Commissioner is hereby authorized to charge any additional fee required in connection with the filing of this paper or credit any overpayment to Deposit Account

Serial No. 10/605,059
Art Unit 1714

02-0900. Should there be any outstanding matter that needs to be resolved in the present application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,


Mark E. Tetreault, Esq.
Reg. No. 48,289

BARLOW, JOSEPHS & HOLMES, Ltd.
101 Dyer Street, 5th Floor
Providence, RI 02903
(401) 273-4446 (tel)
(401) 273-4447 (fax)
met@barjos.com